

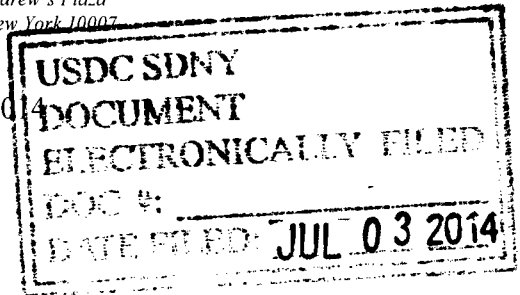


U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

July 2, 2014



BY ECF

Honorable Laura Taylor Swain  
United States District Judge  
Southern District of New York  
500 Pearl Street, Suite 755  
New York, New York 10007

Re: *United States v. Daniel Bonventre, et al.*  
No. S10 10 Cr. 228 (LTS)


MEMO ENDORSED

Dear Judge Swain:

We write to briefly respond to the letter submitted yesterday by counsel for George Perez, "on behalf of all defendants," seeking a conference to address certain unspecified "common legal issues" prior to the defendants' sentencing. Although judges in this district routinely sentence multiple defendants in the same case without holding such a conference – on the understanding that the Court's decision with respect to one defendant is not binding on any other defendant – the Government has no objection to a status conference if it would be convenient and helpful to the Court. Should the Court accept the defendants' invitation to address "common legal issues" jointly, however, the Government respectfully requests that the defendants be required to identify those common legal issues and submit a single, joint brief on those issues in connection with their sentencings. If the issues are truly common to all defendants and/or raise questions of law, this should not be difficult, and will both promote efficiency for the Court and will allow the Government to adequately prepare for any such conference. On the other hand, if the defendants are unable to identify the common issues and coordinate their submissions, then the Government submits that no such conference is necessary or appropriate. Thank you for your consideration.

Defense counsel are expected to address common issues jointly in their opposition to the proposed preliminary forfeiture order.

SO ORDERED:

  
HON. LAURA TAYLOR SWAIN

cc: BY UNITED STATES DISTRICT JUDGE

All defense counsel

Respectfully submitted,

/s/ Matthew L. Schwartz  
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